

LaDOTD Acquirer

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DOTD studying process improvement; R/E goals set

Director's Report

By: Jim Dousay

The Department has hired Dye Management Consultant Firm to help study DOTD's processes and to develop a process improvement plan. This is for the entire Department. I have been interviewed by Dye Management, and The Real Estate Section has been selected using a team approach to develop a process improvement plan for our section. The team members are, besides myself, Lloyd Scallan, Paul Charron, Jerry Braswell, Donna Stinson, Harvey Blanchard, Karen Hider, and Bob LeDoux. Bill Fontenot, District Administrator for District 03, is the Team Leader.

A couple of the items on the agenda will give you an idea of what is being looked at. Under “Documentation of Business Practices” a brief summary of major processes for the section is to be written. For each process, specify the product and output, who the customer is, and who produces it. Also, there will be a report on Preconstruction Delivery for all projects let in the last two fiscal years, including, but not limited

to, expenditures by type and delays and their causes.

Towards this end, several goals for our section are:

1. Help make LTM more autonomous
2. Make our AARS Real Estate Tracking System more user friendly
3. Assist the DOTD in achieving the PDD and Letting Dates
4. Develop a comprehensive training program for our appraisers, agents, and consultants
5. Improve R/E automation process by including a database for our Contract Unit to automate the contracting process

We are working on all these goals, including pursuing funding for no. 5.

Training

The Real Estate Section has also participated in a review of Secretary's Policy and Procedure No. 59 (Workforce Development). We believe that there are problems with the PPM as it stands now. Some of Real Estate's comments include: Many of the required courses sound impressive, but have little functional value. We feel it makes more sense to require job-

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Another Real Estate award winner!

Mychelle Ambeau Smith, Secretary in the District 02 (Kenner) Real Estate Office. Mychelle is a member of Clerical Association of Louisiana (C.A.L.) She attended the Clerical Conference that was held in Monroe this year. She was surprised to find out she was nominated for the Outstanding Clerk of the Year Award (OCY). Not only that – she won it! She was given a nice wall banner to hang in her office, and an OCY Award Plaque that states:



Mychelle Smith
OCY Award

The Clerical Association Of Louisiana
Presents the Outstanding Clerk of the Year Award
for Significant Contributions to the Clerical Field
2004

The plaque is the shape of the State of Louisiana the C.A.L. Symbol on it. She was also given a cool \$100.00 cash to spend anyway she likes. Needless to say, Mychelle was very happy and when she returned to her office and told everyone they were happy for her, too. The *Acquirer* adds its congratulations! ♦

Director's Report

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specific training. None of our managers report that these courses significantly impact the performance of employees, except negatively by taking them away from their duties. Therefore, we oppose the provisions that punish employees for not taking these courses. The current system also ties up managers in more red tape. Besides interviewing applicants and processing the paperwork, supervisors must also research training record Section management knows who has the technical

knowledge and supervisory potential for promotion. Our managers know who deserves a merit increase.

We do support the concept of a formal workplace development



program, but we believe the cost/benefit ratio of the present system is questionable. We feel that the following factors would be more relevant, and we would like to hear from you by e-mail on our recommendations in changing the philosophy of PPM No. 59.

- ✓ Only job-specific courses should be required for promotion with sections developing their own training lists.
- ✓ Enhancement courses, such as the ones currently required, should be offered to employees after promotion.
- ✓ However, these enhancement courses should not be mandatory, unless the employee's supervisor requires it due to a deficiency in performance.
- ✓ Disciplinary action for failure to take a course after promotion should be limited to those employees required to attend a course by their supervisor.

We are trying to implement some of the AASHTO Best Practices in Right of Way in a continuing effort to improve our work cycle and possibly reduce operating costs. Louisiana is a leader in the use of electronics in the acquisition process, and has contributed to the best practices in other ways. Our next venture is to make relocation files electronic.

AASHTO

I will be traveling to Austin, TX, the week of January 18 for the AASHTO executive board meeting. This meeting will be to plan the AASHTO Right of Way Conference, which will also be held in Austin in Mat 2005. We are hoping to be able to send some of our key personnel to this meeting. FHWA will be presenting a course immediately following the Conference on recent changes to the Uniform Act.

And finally, let me wish all the employees of Real Estate and their families a very Merry Christmas and a happy and productive New Year! ♦



Too optimistic?

Final highway bill still stalled

In the last issue, there was an article that indicated that Congress as finally about to pass the new highway bill. Apparently, things didn't go as hoped. Jerome Lohman of LTM sent an article from the American Council of Engineering Companies that contained the following information

President Bush has signed into law a bill (H.R. 5183) that extends the surface transportation program until May 31, 2005. The bill was approved by a 409-8 vote in the House and passed by unanimous consent in the Senate. The 8-month extension was necessary after Congress could not reach agreement on the latest offer of \$299 billion in contract authority and \$284 billion in guaranteed funding. Congressional leadership could attempt to revive consideration of the funding package during the lame-duck session

in November, but many other critical bills are pending and Congress is not expected to be in session too long.

Since the 108th Congress ends this calendar year, we essentially need to start the

reauthorization process over next year. Both the House and Senate transportation committees will need to introduce new bills, hold at least one hearing, consider the bills during subcommittee and committee markups, and then the bills will have to be considered and passed in both chambers. The Administration will also have to send a new reauthorization proposal to Congress.

The AASHTO web site also had the following information

Transportation leaders appear to have been unable to muster the backing of their Congressional colleagues this week for a long-shot attempt to move the reauthorization of the federal highway and transit programs in the "lame duck" session that began Tuesday (11/16/04).

Authorization for the federal highway and transit programs expired September 30, 2003. Federal aid has been continued through a series of short-term



extensions, the latest of which will expire May 31, 2005. While historically, enactment of reauthorization bills has lagged behind their expiration, (TEA-21 for example was

passed some eight months late) the current bill sets a new record for delay at 13 months and counting. House Speaker Dennis Hastert pushed for action on the bill in the short lame-duck session this week, as did Senator James Inhofe, chair of the Senate Environment and Public Works Committee and chair of the House and Senate conference committee that will now be dissolved without producing a conference agreement. However, the press of appropriations matters and other last-minute legislation, and the complexity of wrapping up the highway and transit bill stymied the effort to finish the bill. ♦



ONE HUNDRED YEARS AGO...

Only 14% of the homes in the US had a bathtub.

Most women only washed their hair once a month and used Borax or egg yolks for shampoo.

Eighteen percent of households in the US had at least one full-time servant or domestic.



The average wage in the US was \$0.22 per hour. The average US worker made between \$200-\$400 a year. A competent accountant could expect to earn \$2000 a year, a dentist \$2,500, a veterinarian between \$1,500-\$4,000, and a mechanical engineer about \$5,000.

More than 95% of all births in the US took place at home.

Ninety percent of all US physicians had no college education. Instead, they attended medical schools, many of which were condemned in the press and by the government as "substandard."



Information you should know about documents

There have been a number of changes in the laws concerning notaries, several of which will affect the way we do business. Many of these changes affect everyone, not just notaries. This information is from the Summer 2004 edition of the Louisiana Notary newsletter and was supplied by Lloyd Scallan.

The following items apply to everyone.

Name Usage

Act 455 clarifies how names of the parties and notaries are to be used in notarial acts. The names of the parties must be given in full, but the definition of “full name” and “name in full” for this purpose have been defined as including “at least one given name and other initials in addition to the surname. It may be any combination of first name and middle initial or initials, if any, and the surname; or the first initial and at least one middle name and the surname; or the complete first and middle name or names and the surname.”

Signatures on acknowledgments

Acknowledgments within the State of Louisiana must now be signed by the party giving the acknowledgment, and by two witnesses and a notary (or by one of two subscribing witnesses to a private act). While this seems like what was always the case, various situations described in the *Louisiana Notary* newsletter noted that this was not always the case. Under Act 455, all parties, witnesses and notaries must sign the acknowledgement for it to be valid. Note that this applies to acknowledgments signed in Louisiana.



Social Security Numbers

Act 565 makes it unnecessary for the full Social Security Number or Taxpayer ID Number to appear on acts involving immovable property; however, the last four digits of those numbers are required.

Witnesses to testaments

The 2003 Legislature added a provision that a spouse of a legatee may not be a witness to any testament without voiding the legacy. No

exceptions were allowed. Act 231 provides that a witness to a testament may not be the spouse of the legatee at the time the testament is executed.

Releases to cancel mortgage

A clerk of court may now release a mortgage when presented with a release in authentic form or duly acknowledged by the mortgagee or his assignee who is the last holder of a note secured by a mortgage on immovable property. The release must state that the mortgage has been paid in full and it must indemnify the clerk for any loss arising from canceling the mortgage. With this document it is no longer necessary to produce the note. The form of the release is found in the statute.

The following items apply specifically to notaries, but are good for everyone to be aware of.

Failure to include printed notary name and ID on document

Legislation this year removed the requirement that clerks of court reject documents without the notary's printed name and ID number. However, it allows them to do so. The Louisiana Clerks of Court Association has stated that clerks will continue to reject documents that do not meet these requirements.

Stamps for notaries

The notary may stamp their name under their signature, as well as typing or printing it (This was already allowable if the stamp “printed” the name).

Notary Liability

Act 77 limited a Notary's exposure to malpractice lawsuits. Before this, a notary was subject claims for errors and negligence for up to a year after the discovery of the error, no matter when the document was actually executed. An attorney's exposure ends three years after the error was made. The new legislation tracks the language on malpractice for attorneys. Note: this applies only to errors occasioned by negligence, not fraud.

Notary Annual Reports

Failure of a notary to file his/her annual report within 60 days after its due date (the notary's

commission anniversary date) will no longer mean commencement of revocation proceedings against the commission. But it will lead to automatic suspension of the commission. If this happens, a notary that notarizes anything during the suspension period might be guilty of forgery, according to an East Baton Rouge Parish Assistant DA. It is important that a notary keep the Secretary of state's office apprised of his/her address so the request for the report will arrive in a timely manner.

The same issue also had information about conduct as a public employee that should be kept in mind as we do our work.

Malfeasance in Office

Malfeasance in office is a crime. It is punishable by fine, or imprisonment, or both. The definition is as

follows: Malfeasance in office is committed when any public officer or public employee shall: Intentionally refuse or fail to perform any duty lawfully required of him, as such officer or employee; or

1. Intentionally perform any such duty in an unlawful manner; or
2. Knowingly permit any other public officer or public employee, under his authority, to intentionally refuse or fail to perform any duty lawfully required of him, or to perform any such duty in an unlawful manner.

Any duty lawfully required of a public officer or employee when delegated by him to a public officer or employee shall be deemed a lawful duty of such public officer or employee. The delegation does not relieve the delegating public officer or employee of his/her lawful duty. ♦



Thanksgiving Dinner at Headquarters

On November 18th, employees at Headquarters held a Thanksgiving Dinner, with the main course being gumbo (this is Louisiana, after all).



A man of many talents: Richard stirs the gumbo and talks on the phone all at once!



People lined up early for all the goodies



Donna Marcantel arranged the dinner AND cooked the gumbo!

Huey Long Bridge project will be challenging

The information in this article is from the project web site and from Harvey Blanchard and LTM.

The Huey P. Long Bridge, a combined railroad/highway bridge, is one of three primary Mississippi River Crossings in the Greater New Orleans area. The bridge is owned and operated by the New Orleans Public Belt Railroad and for many years was the longest high level railroad bridge in the world.

Located in Jefferson Parish, the bridge carries two railroad tracks and four highway lanes of US 90 across the Mississippi River. The current average daily traffic of the bridge is approximately 50,000 vehicles per day. The bridge does not meet current design standards and contributes to highway capacity problems along this corridor.

The primary purpose of this project is therefore, to widen the bridge to six lanes and increase traffic capacity, while improving traffic flow efficiency and safety. The project consists of a major parallel truss widening of the main river crossing, never before attempted in Louisiana and one of a few projects of its type in the United States. The main bridge roadway section will be widened from the existing two 9-foot wide lanes without shoulders to three 11-foot wide lanes, a 2-foot wide offset on

the left and an 8-foot wide right shoulder, in each direction. In order to widen the bridge under traffic it will require the reconstruction of the bridge approaches. In order to meet design standards, the reconstruction of the bridge approaches will require the traffic circles at Jefferson Highway and Bridge City Avenue to be replaced with conventional interchanges.

The project is being funded under the (TIMED)

Transportation Infrastructure Model for Economic Development Program. The lead Federal Agency for the project is the US Coast Guard, with the U.S. Army Corps of Engineers, New Orleans District, and the U.S. Fish and Wildlife Service as cooperating agencies.

The construction is scheduled

to begin with the widening of the main river piers in 2005, the reconstruction of the bridge approaches in 2008 and should be completed in 2012 with the widening of the main river trusses.

Real Estate

The acquisition of the right of way will be challenging. While an estimated 47 parcels and an estimated 27 relocations doesn't sound huge, many of the relocations are of large commercial operations. Final right of way maps are expected after the first of the year. ♦



Artist's conception of how the bridge will look when completed



Christmas Party



Charles, David, Jerry, and Debbie enjoy some of the good food



Maintaining good public relations is important

Don't mess with Charlene . . .



Jack Shaffer and Jim Dousay congratulate Charlene Dean on earning her martial arts black belt. She received it on December 7, 2004.



First, there was crime, then there was terrorism, then the war, then an active hurricane season, so what else is there to worry about? How about...

Exploding cell phones?

<http://www.msnbc.msn.com/>

Over the past two years, federal safety officials have received 83 reports of cell phones exploding or catching fire, usually because of incompatible, faulty or counterfeit batteries or chargers. Burns to the face, neck, leg and hip are among the dozens of injury reports the agency has received.

The Consumer Product Safety Commission (CPSC) is providing tips for cell phone users to avoid such accidents and has stepped up oversight of the wireless industry. There have been three voluntary battery recalls, and the CPSC is working with companies to create better battery standards.



Though legitimate batteries can go wrong, there is a greater chance that poorly made, counterfeit ones will lack safety devices to detect overheating or overcharging. The lithium-ion batteries

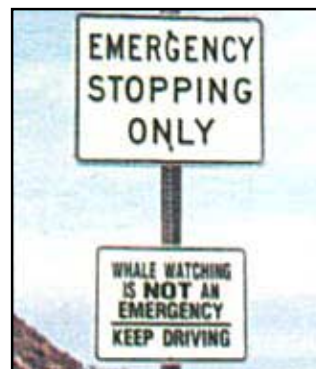
found in most cell phones can overheat if, for example, heat vents are covered.

Tips to keep cell phone batteries from overheating:

- 📱 When removing battery, avoid putting it in contact with metal, such as keys or coins.
- 📱 Don't expose battery to water or extreme temperatures.
- 📱 Avoid crushing battery or dropping it against hard surfaces, especially when fully charged.
- 📱 If bought separately, make sure battery and charger are compatible with the phone model. Check that components are not manufactured for phones sold in other countries.

Buy parts from an authorized dealer, carrier or legitimate outlet, rather than secondhand dealers or off the Internet. This decreases the chance components will be incompatible or poorly made. ♦

No Comment!



“Quotable”

“Assumptions allow the best in life to pass you by.” - John Sales

“Education is not the filling of a pail, but the lighting of a fire “- William Butler Yeats

"Christmas day is a day of joy and charity. May God make you very rich in both." - Phillips Brooks

“When they discover the center of the universe, a lot of people will be disappointed to discover they are not it. - Bernard Bailey

“He who has not Christmas in his heart will never find it under a tree.” - Roy L. Smith

“I wish we could put up some of the Christmas spirit in jars and open a jar of it every month.” - Harlan Miller

“It is not enough to have a good mind; the main thing is to use it well.” - Rene Descartes

"Insanity: doing the same thing over and over again and expecting different results."- Albert Einstein

“It is never too late to be what you might have been.” - George Eliot

